

Idaho Dept. of Water Resources

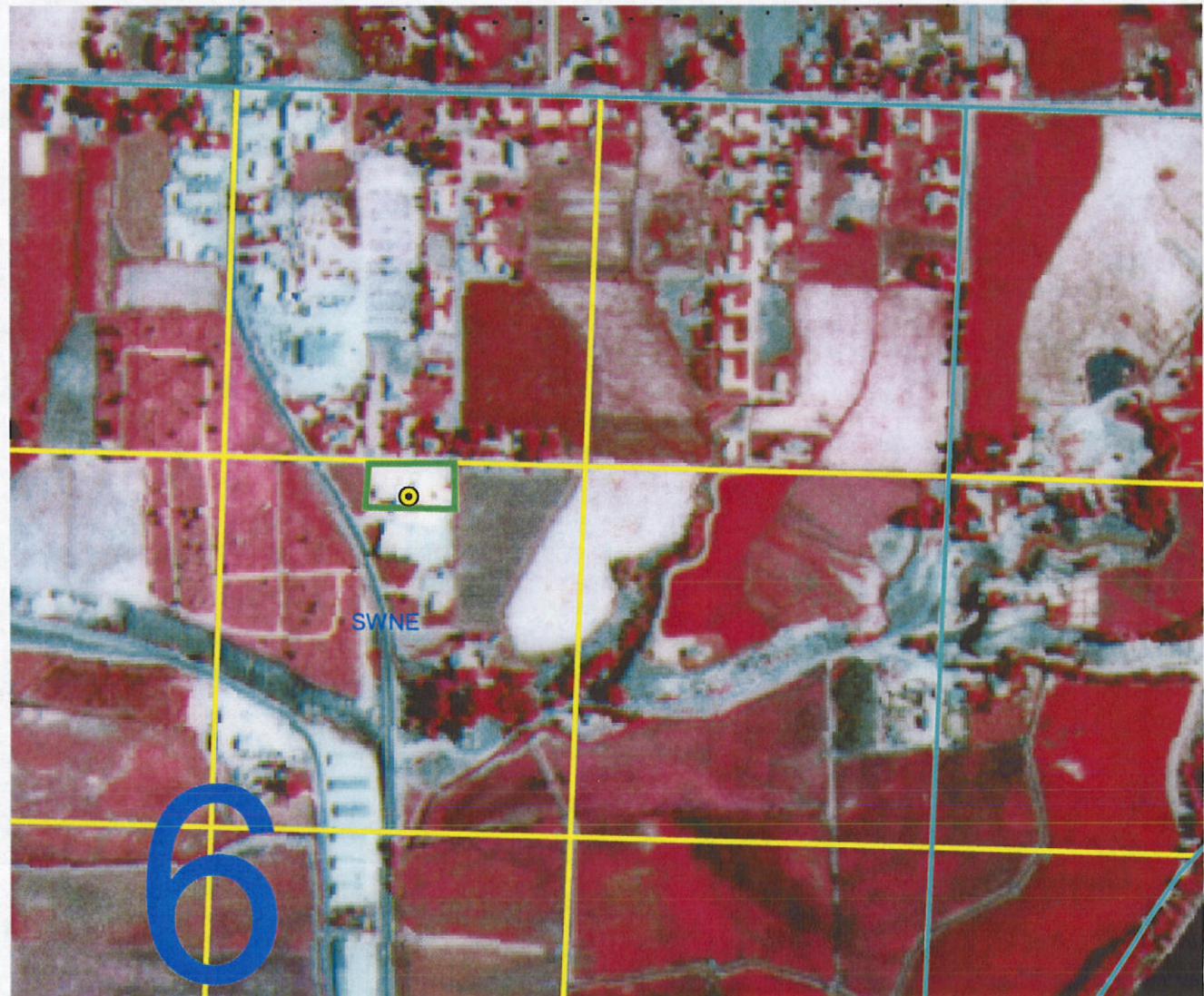
Claim No(s): 65-02505

T6N, R01W, 6

Created by: Sue Bock

Date: 9/07/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 3000 Feet

1987 NAPP Photo

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02505
Date Received: 1/11/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID T. BARENBERG 208-365-3615
Address: 877 SUNSET DRIVE
EMMETT, ID 83617

AND/OR
Name: JOYCE E. BARENBERG 208-365-3615
Address: 877 SUNSET DRIVE
EMMETT, ID 83617

2. Date of Priority: JAN 17, 1949

3. Source: WASTE WATER Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	01W	6	SW	NE			GEM
			SW	NE			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-02505

Page 1

Date: 01/12/90

MICROFILMED

SEP 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	6	SW	NE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

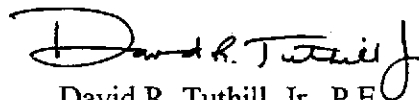
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-2505

DAVID T BARENBERG
877 SUNSET DR
EMMETT ID 83617

Telephone Number: (208) ~~365-3615~~

JOYCE E BARENBERG
877 SUNSET DR
EMMETT ID 83617

Telephone Number: (208) ~~365-3615~~

RECEIVED
MAR 14 2001

398-8437

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

3/14/01

SIGNATURE:

David T. Barenberg

Please print your name:

DAVID T. BARENBERG

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

12/04/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2505

NAME AND ADDRESS: DAVID T BARENBERG
JOYCE E BARENBERG
877 SUNSET DRIVE
EMMETT, ID 83617

SOURCE: WASTEWATER

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 01/17/1949

POINT OF DIVERSION: T06N R01W S6 SWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3-15 11-15

QUANTITY
0.04 CFS

PLACE OF USE:

IRRIGATION Within GEM County
T06N R01W S6 SWNE 2

2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM EMMETT
IRRIGATION DISTRICT.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/00
PAGE: 90

POU County: GEM

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag: Presumption Flag:	

On mylan

Wife
C18

Idaho Dept. of Water Resources

Claim No(s): 65-02505

T6N, R01W, 6

Created by: Sue Bock

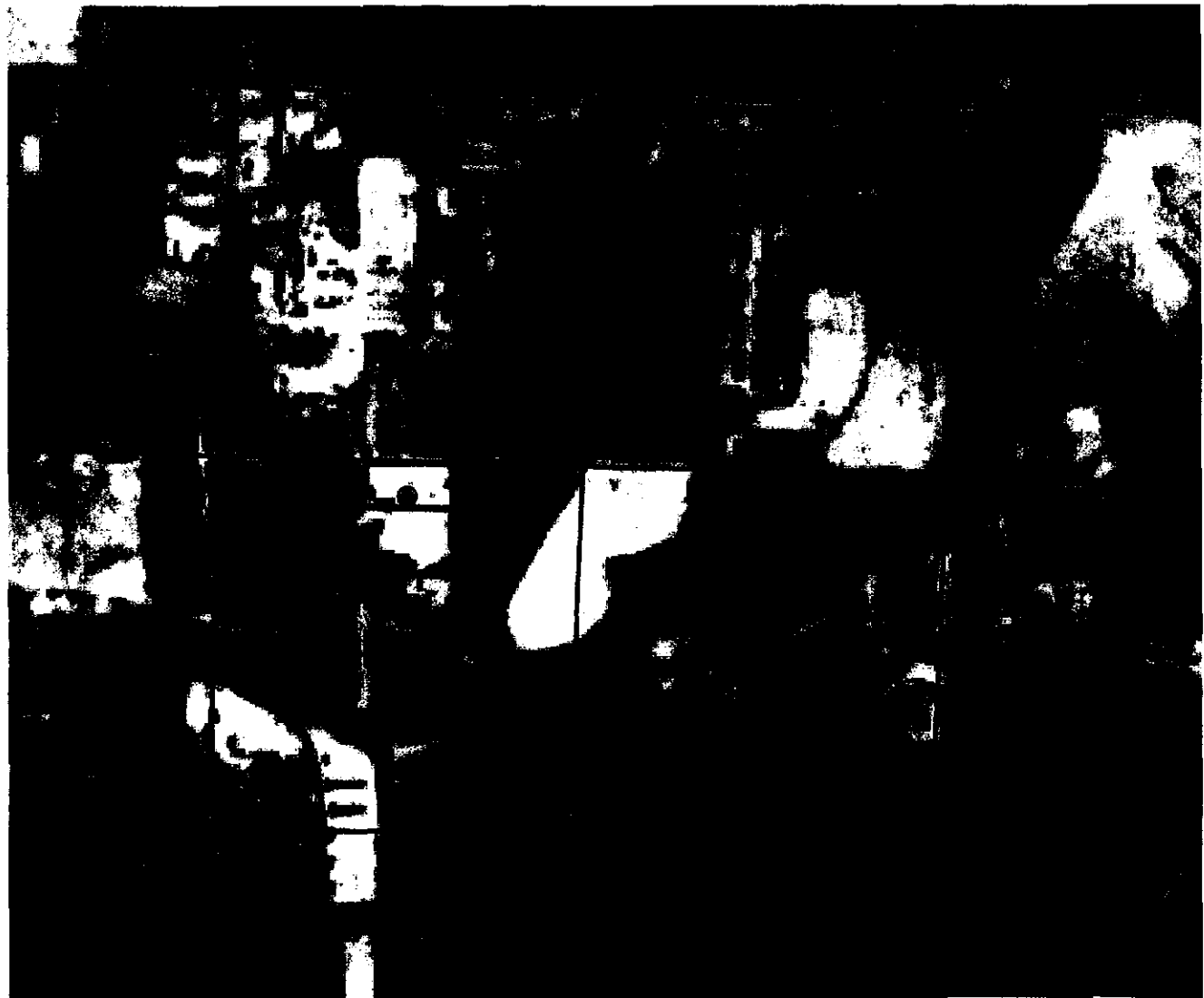
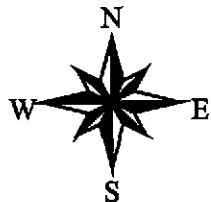
Date: 9/07/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

WR5809NP
No. 65-02505

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/24/00
PAGE: 10

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID T. BARENBERG	01/17/1949	IRRIGATION	03/15 11/15	0.040 CFS	
C	JOYCE E. BARENBERG					
	P. O. BOX 533					
	EMMETT ID 83617					
				TOTAL DIVERSION:	0.040 CFS	

Water Source: WASTE WATER

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T06N R01W S06

SWNE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
06N	01W	6	:				02	:					:					:						2.0
TOTAL ACRES																							2.0	

Pou County: GEM

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date:

Priority Date: 01/17/1949
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 65

Field Exam Fee:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. No. A65-02505

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of Claimant(s) David T. BARNBERG
Joyce E. BARNBERG

Mailing Address
(include Zip Code) 877 Sunset DR.
Emmett, Idaho
83617

Phone Number (208) 365-3615

MICROFILMED

SEP 18 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-02505

DATE RECEIVED: 1/11/1990

RECEIPT NO:

RECEIVED BY: X999999

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: DAVID T. BARENBERG
ADDRESS: P. O. BOX 533
EMMETT, ID

83617

NAME: JOYCE E. BARENBERG
ADDRESS: P. O. BOX 533
EMMETT, ID

83617

RECEIVED

JAN 11 1990

Department of Water Resources

2. DATE OF PRIORITY: JAN 17, 1949

3. SOURCE: WASTE WATER

TRIB. TO: PAYETTE RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	01W	6	SW	NE			GEM
			SW	NE			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.040		

7. TOTAL QUANTITY APPROPRIATED IS:
0.040 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	01W	6	SW	NE		IRR	2.0
SECTION ACRES							2.0
TOTAL ACRES							2.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREED
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS
DECREE DEFENDANT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO _____ DO NOT X WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S):

David T. Bronberg DATE: Jan 10, 1990
Jayce E. Bronberg DATE: 1/10/90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Bene) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 10th DAY

OF January 19 90

Mary Jo Good
NOTARY PUBLIC

SEAL

RESIDING AT Emmett, Id. 83617

MY COMMISSION EXPIRES 4-18-94

65-02505

PAGE

3

DATE: 10/28/89

4685

MICROFILMED

SEP 18 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME _____

CLAIM IDENT. NO. A65-02505

DATE RECEIVED _____

CK # _____

AMOUNT \$ _____

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☐ YES ☐ NO ☐ *
2. Is a priority date entered? ☐ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) N/A ☐ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ *
Is the period of use included? ☐ YES ☐ NO ☐ *
Is a quantity claimed for each use? ☐ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ *
8. If required is a consumptive use entered? N/A ☐ YES ☐ NO ☐ *
Is the consumptive use correct? N/A ☐ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☐ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☐ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☐ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐ *
22. Should this claim be data entered? ☐ YES ☐ NO ☐ *

Claim checked by: lat

Date: _____

Claim must be returned to claimant: _____

(Yes) ☐ (No) ☒

Claimant must be notified of modifications: _____

(Yes) ☐ (No) ☒

Receipt Prepared by: _____

Date: _____

Claim data entered by: latDate: 1/12/90Sent to claimant by: latDate: 1/15/90Checked by: latDate: 1/16/90

Comments: _____

MICROFILMED

SEP 18 1992